

March 9, 2004

FOR MORE INFORMATION CONTACT:

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To: Montana Standard and Anaconda Leader

Dear Editors:

Please publish the following legal notice in the next edition of your newspaper.

LEGAL NOTICE

DEQ and EPA Release Environmental Assessment on an Active Mine Operable Unit/Butte Priority Soils Operable Unit Boundary Change

Helena-The Montana Department of Environmental Quality (DEQ) in Helena and the Environmental Protection Agency (EPA) received an application on December 3, 2003 from Montana Resources (MR) in Butte to change the boundary of its active operating permit area (aka the Active Mine Operable Unit). MR is requesting to transfer the remaining 109 acres of the Berkeley Pit Northwest Waste Rock Dumps (NW Dumps) from its mine permitted area to the Butte Priority Soils Operable Unit (BPSOU). This property is adjacent to and east of the Granite Mountain Memorial Interpretive Area (GMMIA) and MR contends that inclusion of the remaining 109 acres as part of the GMMIA would help preserve the historic mining landscape within the GMMIA. Atlantic Richfield Company (ARCO) originally submitted the Conceptual Design Plan for the GMMIA to the agencies on July 3, 2001. If the 109 acres are added to the BPSOU, they would be subject to consideration of several remedial alternatives within the BPSOU Feasibility Study (FS), one of which is the GMMIA remedial alternative.

The historic significance of the NW Dumps to the concept of the GMMIA and the Historic Preservation Area designated as part of Montana's Copperway Regional Heritage Park is the primary basis for this request. The NW Dumps contains the

site of the Speculator Mine, which was involved in the Granite Mountain/Speculator Mine fire of 1917, the worst underground hard rock mining disaster in U.S. history.

The agencies have released a draft environmental assessment (EA) seeking public comments on the proposed change as required by the Metal Mine Reclamation Act under the Montana Environmental Policy Act. EPA will also use public comments as it considers whether to add the 109 acres to the BPSOU.

Copies of the application can be reviewed and copies of the draft EA can be obtained at DEQ, Environmental Management Bureau, at 1520 E. 6th Ave., Helena, MT or at the Butte EPA office at 155 W. Granite, Butte, MT 59701. Requests for information and copies of the draft EA and questions, and comments on the draft EA should be directed to Patrick Plantenberg, Operating Permit Section Supervisor, DEQ Environmental Management Bureau, P. O. Box 200901, Helena, MT 59620-0901, phone (406) 444-4960 or e-mail at pplantenberg@state.mt.us or by contacting Sara Sparks, EPA, 155 W. Granite, Butte, MT 59701, phone (406) 782-7415 or e-mail at sparks.sara@epa.gov. Please submit comments no later than April 12, 2004.

Please attach an affidavit of publication, with an original tear sheet for the run date, to your invoice (reference EMB503156) and send them to:

Department of Environmental Quality
Environmental Management Bureau
1520 East 6th Avenue
P.O. Box 200901
Helena, MT 59620-0901

Please charge to DEQ account number: RC#5315, DOC#EMB503156.

Sincerely,

Patrick Plantenberg
Operating Permit Section Supervisor
Environmental Management Bureau

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